

Exhibit A

MARALYN ENGLISH (8468)
SCOTT YOUNG (10695)
SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, Eleventh Floor
Post Office Box 45000
Salt Lake City, Utah 84145-5000
Telephone: (801) 521-9000
Facsimile: (801) 363-0400
Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH – CENTRAL DIVISION

ZOOBUH, INC.,

Plaintiff,

vs.

SAVICOM, INC., DBA MINDSHARE
DESIGN, a California entity; DG
INTERNATIONAL LIMITED, a foreign
entity domestically registered in Delaware,

Defendants.

**DECLARATION OF SYLVIA VAN
BAEKEL**

Civil No. 2:17CV1098

Honorable Jill Parrish

I, Sylvia van Baekel, declare:

1. I am the Director of DG International LLC (“DG LLC”) which is a single-member LLC organized under the laws of Delaware, with its principal place of business located at Trolley Square, Suite 20C, New Castle, Delaware 19806.

2. I submit this declaration in support of DG LLC’s motion to dismiss Zoobuh, Inc.’s Complaint.

3. On October 31, 2017, DG LLC received a copy of the summons and complaint in the above-captioned matter at its Delaware address but the summons was addressed to a separate legal entity: DG International Limited.

4. DG LLC has not been named in the complaint.

5. DG LLC is a distinct and separate legal entity from DG International Limited.

6. DG LLC is not an agent for service for DG International Limited.

7. DG LLC is not the domestically registered agent in Delaware for DG International Limited.

8. DG LLC is an email marketing company with an office located in Delaware.

9. DG LLC entered into a contract with DG International Limited for the purpose of sending marketing emails to DG International Limited's customer lists. One of those customer lists came from users who registered for the website xdating.com.

10. DG LLC used MindShare Design's email platform to send emails to users who registered for the xdating.com website.

11. Any marketing email sent from DG LLC to a user in Utah with an email account with Zoobuh was through the unilateral act of the Utah resident.

12. DD LLC is not registered or otherwise licensed to do business in Utah.

13. DG LLC has never signed any contracts in Utah.

14. DG LLC does not direct advertising to Utah residents.

15. DG LLC does not direct sales solicitations to Utah residents.

16. DG LLC does not offer special deals for Utah residents.

17. DG LLC does not have any employees, agents, or affiliates in Utah.

18. DG LLC does not own, lease, possess, or maintain any real property or personal property in Utah.

19. DG LLC does not own, lease, or maintain an office or place of business in Utah.

20. DG LLC has not paid any taxes in Utah.

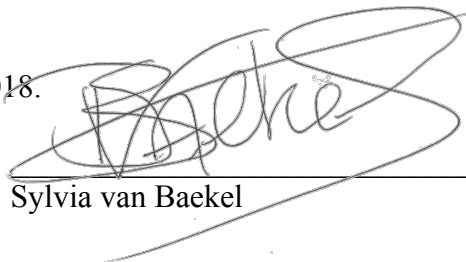
21. DG LLC does not maintain any bank or savings and loan accounts in Utah and has not maintained any bank or savings and loan accounts in Utah.

22. DG LLC does not derive substantial revenue from Utah.

23. DG LLC earns one percent (1%) of its revenue from residents in Utah.

24. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 15th day of January, 2018.



Sylvia van Baekel